

Minutes of the Regular Meeting of the Gallup City Council, City of Gallup, New Mexico, held in the Council Chambers at City Hall, 110 West Aztec Avenue, at 6:00 p.m. on Tuesday, July 28, 2015.

The meeting was called to order by Mayor Jackie McKinney.

Upon roll call, the following were present:

Mayor: Jackie McKinney

Councilors: Linda Garcia
Allan Landavazo
Yogash Kumar
Fran Palochak

Also present: Maryann Ustick, City Manager
George Kozeliski, City Attorney

Presented to the Mayor and Councilors were the Minutes of the Regular Meeting of July 14, 2015.

Councilor Landavazo made the motion to approve the aforementioned Minutes. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar, and Mayor McKinney all voted yes.

Presented to the Mayor and Councilors were the following Discussion/Action Topics:

1. Donation Contract Amendment with the United States of America, Bureau of Reclamation – George Kozeliski, City Attorney

Mr. Kozeliski said the Mayor and Councilors granted the original donation contract and temporary easement on April 3, 2013. The Bureau of Reclamation (BOR) has requested an extension of a temporary easement through December 31, 2017. The purpose of the easement is to provide the BOR access to City land to establish the path for the Navajo-Gallup Water Supply Pipeline.

Councilor Kumar made the motion to approve the Donation Contract Amendment with the United States of America, Bureau of Reclamation. Seconded by Councilor Garcia. Roll call: Councilors Kumar, Garcia, Landavazo, Palochak, and Mayor McKinney all voted yes.

2. Fox Run Golf Course Improvements – Maryann Ustick, City Manager

Howard Kaplan, Wilson and Company, and George Radnovich, Sites Southwest, provided a PowerPoint Presentation on the proposed improvements to Fox Run Golf Course. The PowerPoint Presentation included an outline of the new irrigation system;

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issues at the golf course that need to be addressed (drainage paths that cross fairways and landing zones; service roads that cross fairways affecting drainage and landing zones in some cases; grading and re-seeding improvements for the driving range; alignment and line-of-sight issues for some fairways due to the changes in greens and tees over the years; ponding and grading issues in some fairways which have created unfavorable agronomic conditions; the need for tall fencing in some areas to protect the City from liability; prairie dog issues; sand bunkers overgrown with grass, relocation of the fertilizer shed currently located near hole #16; cracking cart paths; the need to re-establish old tees and greens; offsite drainage issues that need to be mitigated; fairways, greens and tees that require minor grading and re-seeding; and the small berms and hummocks which have created poor playing conditions on the course); preliminary analysis and rehabilitation maps of the golf course which illustrates the problem areas and issues, proposed tasks to be done by contractors, and proposed tasks to be done by City crews; the existing and proposed scope of work for the golf course; and the estimated construction costs and associated architectural and engineering fees of about \$3.5 million for the golf course improvements.

Mayor McKinney asked if there were members of the audience who would like to address the Council regarding the proposed golf course improvements.

Sarah Piano spoke in favor of the proposed golf course improvements since the matter is a quality of life issue. She recommended fixing all of the problems at one time rather than doing small "Band-Aid" projects at the golf course.

John Lewis Taylor spoke in favor of the proposed golf course improvements since the improvements would be an investment in Gallup's future. He has seen an increase in the number of youth interested in golf since he has helped with the junior golf academies during the past five summers. He also said the work done at the golf course by New Mexico State University needs to be sustained.

Jason Armstrong, President of the Men's Golf Association, asked about the quality of the water to be used on the golf course. Mr. Radnovich said the golf course irrigation system has been designed with a fertigation system which allows maintenance workers to fertilize and to address agronomic problems on the course. Discussion followed concerning the rehabilitation of one of the ponds at the golf course and the management of the golf course after the recommended improvements has been made. Mr. Armstrong said golf course needs to be rated by Sun Country Golf.

Patty Lundstrom, State Representative and Executive Director of the Greater Gallup Economic Development Corporation, spoke in favor of the proposed golf course improvements and said the matter is an important quality of life project that should be supported.

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Lance Allgood said he and his wife are avid golfers and spoke in favor of the proposed golf course improvements. He said the City will be throwing its money out the window if it proceeds with a new irrigation system without addressing the drainage issues on the golf course.

Jay Dee Pfannenstiel spoke against the proposed golf course improvements and said he believes there will be a low percentage of community members that will use the facility. He said there are higher priorities in Gallup that need to be addressed and he believes the proposed improvements would cost the City too much money.

Carolyn Milligan spoke against the proposed golf course improvements due to the tremendous costs that are involved and the high amount of money that would be spent for a small group of users using the facility. She said there would be an advantage in paying for the high costs for the improvements if there was consideration by the City to expand the use of the golf course to other users such as walkers. She also said there is an odor problem at the golf course as the use of affluent water at the course needs to be refined.

Jacquetta Nez said as an employee at the golf course, she becomes frustrated with the minor repairs that have taken place at the golf course. Part of her frustration is due to the numerous comments and recommendations submitted by the public about what to do address various issues at the golf course. She spoke in favor of the proposed golf course improvements since the enhancements will be beneficial to the golf course and surrounding trails in the long run.

Mayor McKinney stressed that the City will not be taking funds earmarked for other capital projects to pay for the golf course improvements. He said the City has allocated a substantial amount of funds for this fiscal year and the following fiscal year to address the infrastructure needs of the City as part of the City's strategic plan. Previously, the City was allocating \$700,000 to \$900,000 per year for the operational budget of the golf course in which one-half of the allocated funds were used to pay for the "Band-Aids" or minor repairs to the course. Mayor McKinney said if the City has a good product to begin with the City will be able to reduce its maintenance cost at the golf course.

Councilor Landavazo expressed his concerns with the quality of water being used at the golf course which has led to the tainted soil. At the request of Councilor Landavazo, Mr. Radnovich provided an overview of the irrigation plan for the golf course, including the use of reclaimed water for a majority of the course, the use of portable water for the greens, the processes to be used to address the pH problem in the soil, such as the fertigation system in the irrigation system. Max Johnson with the Turf Grass Management Program of New Mexico State University, provided information on the soil

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salinity levels in the greens and the work that needs to be done to achieve the proper levels in the soil. Vince Tovar, Water and Sanitation Director, said the quality of the affluent water is good with the exception of the high salinity levels of the water. Mr. Tovar said chemicals and other amendments will be added to the affluent water at the golf course to address the high salinity levels of the water. A system has been designed and installed at the greens that will allow infrequent and small amounts of portable water. Mr. Tovar also said the odor problem experienced by Ms. Milligan at the golf course was due to the presence of algae which could not be flushed out by affluent water due to a break in one of the lines. At the request of Councilor Landavazo, Mr. Radnovich provided the timeframes to bid and award the construction contract for the project as well as the amount of time for the actual work to be done.

Councilor Kumar said the City has previously spent \$700,000 to \$900,000 per year on the golf course because previous administrations have not spent the money to improve the irrigation system. He agreed with Mr. Allgood about the need to address the grading and drainage issues at the golf course in addition to the irrigation system. Although the costs for the improvements are high, Councilor Kumar said the costs for operations and maintenance will be reduced over time. At the request of Councilor Kumar, Mr. Radnovich provided information concerning the work currently being done at the golf course as well as proposed work for the large irrigation systems on the fairways and separate systems for the tees and greens.

Councilor Palochak said she does not want to have local golfers traveling out-of-town to play golf at other courses. She believes the City should make the investment to improve the golf course which will enhance economic development and the quality of life for Gallup.

Councilor Garcia said the proposed golf course improvements are a long-term investment for the City which will be used by the youth and local organizations for fundraisers. She supports the proposed project which will result in a high quality golf course for Gallup.

Following discussion, Councilor Kumar made the motion to approve the Fox Run Golf Course improvements with a limit of \$3.5 million to be allocated for said improvements. Seconded by Councilor Landavazo. Roll call: Councilors Kumar, Landavazo, Garcia, Palochak, and Mayor McKinney all voted yes.

3. Greater Gallup Economic Development Corporation Annual Report – Patty Lundstrom, Executive Director, Greater Gallup Economic Development Corporation (GGEDC)

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Rep. Lundstrom introduced the following members of the GGEDC Board of Directors in attendance: Rick Murphy, Vice President; Patrick Mason, Secretary; Tony Tanner, Kent Wilson, Councilor Kumar and Mayor McKinney, Board Members. Also in attendance was Michael Sage, Deputy Director of the GGEDC. Mr. Murphy presented his opening comments relative to the GGEDC's Year in Review. Rep. Lundstrom provided a PowerPoint Presentation of the GGEDC's highlights during the past year concerning investments leveraged, recruitment, leveraging transportation infrastructure, Gallup Pipeline & Compliance Services, community leadership and development for strengthening the Gallup-McKinley economy, assistance with the Navajo Tribal Inland Port Feasibility Study, developing leadership and building capacity through GGEDC interns and volunteers, GGEDC's national recognition from the Site Selectors Guild, and the GGEDC's financial summary. During the PowerPoint Presentation, Mr. Mason provided an overview of the GGEDC's efforts on economic development online and Mr. Wilson provided information on the industrial park fact-finding missions for expanding best methods and practices for industrial development. Mr. Tanner commended Rep. Lundstrom and Mr. Sage for their hard work. Mayor McKinney invited the board members of the GGEDC to provide frequent reports and updates to the Council relative to economic development as they surface.

4. Request for Street Closures for the Gallup Inter-Tribal Indian Ceremonial Parades to be Held on Thursday, August 6, 2015 and Saturday, August 8, 2015 – Stu Barton, Gallup Inter-Tribal Ceremonial Association

Flo Barton, Gallup Inter-Tribal Ceremonial Association, presented the request as well as an overview of both parades. She said the Thursday night parade will begin at 7:30 p.m. instead of 9:00 p.m. as in previous years.

Discussion followed concerning the placement of bleachers in front of El Morro Theater for the participants of the New Mexico County Treasurers' Conference.

Councilor Landavazo made the motion to approve the request for street closures for the Gallup-Inter Tribal Indian Ceremonial Parades to be held on Thursday, August 6, 2015 and Saturday, August 8, 2015. Seconded by Councilor Palochak. Roll call: Councilors Landavazo, Palochak, Garcia, Kumar, and Mayor McKinney all voted yes.

5. Land of Enchantment Opera Status Report and Request for Approval of Sale of Beer and Wine at August 1, 2015 Performance – Patrick Mason, President, Land of Enchantment Opera

Mr. Mason provided an update on the Land of Enchantment Opera and the progress the organization has made in a short amount of time. He also presented a request to sell

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beer and wine at the performance of The Marriage of Figaro to be held at El Morro Theater on August 1, 2015. Mr. Mason answered questions posed by the Council regarding how the sale of beer and wine at the El Morro Theater will be different than other events previously held at the theater. Mr. Mason said the beer and wine sales will only take place prior to the beginning of the performance and during intermission.

Regarding the Freedom Ride, Flight and Cruise event recently held at the Courthouse Square, Mayor McKinney said hard liquor was being sold at the event when the Council was advised that only beer and wine would be sold. Mayor McKinney said if the Council decides to authorize the sale of the beer and wine at the opera, he recommended that the motion specifically state that only beer and wine can be sold at the event.

Following discussion, Councilor Kumar made the motion to approve the sale of beer and wine only at the August 1, 2015 performance at El Morro Theater. Seconded by Councilor Palochak. Roll call: Councilors Kumar, Palochak, Landavazo, Garcia, and Mayor McKinney all voted yes.

6. Resolution No. R2015-21; 4th Quarter Fiscal Year 2015 Budget Adjustments and Report of Actuals – Patty Holland, Chief Financial Officer

Ms. Holland presented the proposed Resolution which encompasses all budget changes processed April 1, 2015 through June 30, 2015. She provided an overview of the budget adjustments as well as the Report of Actuals for the quarter.

Councilor Garcia made the motion to approve Resolution No. R2015-21. Seconded by Councilor Kumar. Roll call: Councilors Garcia, Kumar, Landavazo, Palochak, and Mayor McKinney all voted yes.

7. Resolution No. R2015-20; Condemnation of Certain Real Property Located at 705 West Aztec Avenue – C.B. Strain, Planning Director

Mr. Strain said the structure at this location has fallen under such disrepair that City staff has rendered the building to be unsafe, inhabitable and a threat to the public's health safety and welfare. He said the property has not been properly maintained and continues to fall under disrepair since the property owner, Louis Rocco, resides out-of-state. Mr. Strain said during one of his inspections he found several dozen hypodermic needles on the ground which posed a public health hazard. During a recent inspection, Mr. Strain said the storage structure in front of the property has been removed and the ground is free of any narcotics or paraphernalia. Unfortunately, there is trash and debris on the property and the structure remains in disrepair. Mr. Strain said there has been a total of 74 calls for service to the police department over a span of six years for

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disorderly conduct, disturbances, weapons violations, and other nuisances. Mr. Strain said he received a phone call late this afternoon from Terry Rocco, the Power of Attorney for Louis Rocco, requesting that the proposed condemnation be tabled until the Regular Meeting of August 11, 2015. At that time Terry Rocco would like to address the Mayor and Councilors regarding his plans for the property. Mr. Strain said Mr. Rocco is aware of the condition of the property and is in the process of trying to sell it. Mr. Strain said the property is currently secure and does not have any objections with Mr. Rocco's request.

Mayor McKinney asked how long the building has been vacant. Mr. Strain said the building has been vacant for at least four years. Mr. Strain also said one of Louis Rocco's children previously lived at the property and when the inside of the house became inhabitable, the resident began living in the shed outside. Mr. Strain said the building is currently not occupied and is boarded-up. Mayor McKinney asked about the graffiti on the exterior of the building as shown in the pictures in the agenda packet. Mr. Strain said the graffiti has been cleaned since the time the photographs were taken.

Councilor Palochak made the motion to table Resolution No. R2015-20 until the Regular Meeting of August 11, 2015. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo, and McKinney all voted yes.

8. Award of Contract for the Demolition of a Multi-Family Dwelling Structure at 405 West Hill Avenue – C.B. Strain, Planning Director

Mr. Strain said the Mayor and Councilors condemned the subject property on September 9, 2014 at which time the property owners were required to demolish the property. Since the property owner did not demolish the property within 10 days of being served notice, the City proceeded with soliciting bids for the demolition of the property. The property owner contacted the City and was granted two time extensions by the Mayor and Councilors to allow the property owner to have the structure demolished. The second time extension expired in April 2015 and the property owner still has not complied with his commitment to demolish the structure. Mr. Strain said the structure is in bad condition and a nuisance to the public. The apartments behind the dilapidated structure are currently occupied and Mr. Strain believes the apartments will soon become deteriorated. Based on the advice of the City Attorney staff solicited bids to demolish the structure that was originally condemned. City staff opened bids on July 7, 2015 as there were five responses submitted. Staff considers the bid of Envirotech, Inc. in the amount of \$30,127.12 as the responsive low bidder and their bid to be a fair and reasonable price.

Mayor McKinney asked if there was anyone present to speak on behalf of the property

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at 405 West Hill Avenue. There was none. Mayor McKinney asked Mr. Strain to state the name of the property owner at 405 West Hill Avenue. Mr. Strain said the property owner's name is Doug Bishop.

Councilor Garcia asked about the condition of the apartments behind the condemned structure. Mr. Strain said the City has not received any complaints about substandard living conditions at the apartments; however, the exterior of the apartments needs to be cleaned and repainted. Mr. Strain said staff will proceed with code enforcement actions against the property owner to address the exterior condition of the apartments.

Councilor Garcia made the motion to award the contract for the demolition of a multi-family dwelling structure at 405 West Hill Avenue to Envirotech, Inc. Seconded by Councilor Landavazo. Roll call: Councilors Garcia, Landavazo, Palochak, Kumar, and Mayor McKinney all voted yes.

9. Resolution No. R2015-22; 2015 New Mexico Department of Transportation (NMDOT) Municipal Arterial Program Funding Extension Request for Hospital and College Drive Reconstruction Project – Stan Henderson, Public Works Director

Ms. Ustick said the contractor's schedule for the project has been delayed due to the early onset of the monsoon rains this year. Although the project is expected to be completed by Labor Day, the proposed Resolution would provide a time extension to December 31, 2015 to avoid the loss of the remaining grant balance from the State.

Councilor Palochak made the motion to approve Resolution No. R2015-22. Seconded by Councilor Kumar. Roll call: Councilors Palochak, Kumar, Garcia, Landavazo, and Mayor McKinney all voted yes.

10. Resolution No. R2015-23; Fiscal Year 2015-2016 New Mexico Department of Transportation Cooperative Funding Agreement – Stan Henderson, Public Works Director

Ms. Ustick said under the proposed Cooperative Funding Agreement the NMDOT has made \$137,238 available to the City for the repair and paving of its streets. The State's funding requires a 25% match from the City in the amount of \$45,746 for a total funding amount of \$182,984.

Councilor Landavazo made the motion to approve Resolution No. R2015-23. Seconded by Councilor Kumar. Roll call: Councilors Landavazo, Kumar, Garcia, Palochak, and Mayor McKinney all voted yes.

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Comments by Public on Non-Agenda Items

An unidentified individual thanked the Mayor and Councilors for approving the allocation for the golf course improvements.

Comments by Mayor and City Councilors

Councilor Palochak thanked the City employees for all their hard work. She complimented the agencies involved in holding the Junior Public Safety Academy and the organizers of the Route 66 Freedom Ride, Flight and Cruise for their teamwork.

Councilor Landavazo encouraged everyone to keeping buying, believing and building Gallup.

Councilor Garcia thanked Vince Alonzo, Parks and Recreation Director and his staff for their work during the Willie Mays World Series. She congratulated the Gallup Sun Devils for taking second place in the World Series. Councilor Garcia commended the organizers of the Route 66 Freedom Ride, Flight and Cruise for a successful event. She will hold a District 1 Neighborhood Meeting on Wednesday, July 29, 2015 at 6:30 p.m. at the Northside Senior Center. Her guest will be Mr. Henderson who will provide a presentation on the City's Infrastructure Capital Improvement Plan (ICIP). Councilor Garcia commended Lt. Franklin Boyd of the Gallup Police Department for his professionalism while Chief Robert Cron was away.

Mayor McKinney said it was a great weekend in sports with the Willie Mays World Series. The Las Cruces Rhinos won the tournament and extended their stay to attend the various events in town, such as the Route 66 Freedom Ride, Flight and Cruise and the opera singers and nightly Indian dances at the Courthouse Square.

Comments by City Manager

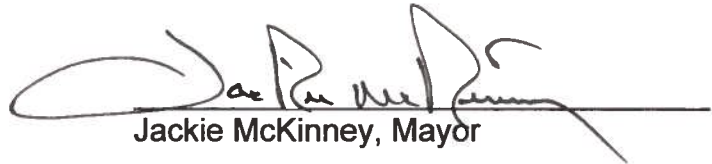
Ms. Ustick said the roof repair at the Harold Runnels Athletic Complex was delayed due to the monsoon rains. The project is expected to be completed by Labor Day. Ms. Ustick also said the State granted approval of the sludge disposal permit; however, the permit has not been issued yet. She and Mr. Tovar are hopeful that the permit will be issued by the end of the week. Mr. Tovar will provide an update on the process at the next regular meeting.

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There being no further business, Councilor Palochak made the motion to adjourn the meeting. Seconded by Councilor Garcia. Roll call: Councilors Palochak, Garcia, Kumar, Landavazo, and Mayor McKinney all voted yes.



Jackie McKinney, Mayor

ATTEST:



Alfred Abeita II, City Clerk

Approved 8/11/2015